

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

Jerry Holman,

Case No.: 2:20-cv-02270-JAD-DJA

Petitioner

V.

Order Dismissing Action

Calvin Johnson,

[ECF No. 1]

Respondent

Pro se petitioner Jerry Holman brings this habeas corpus petition under 28 U.S.C.

§ 2254. Holman has not filed an application to proceed *in forma pauperis* or paid the filing fee.

As a result, this matter has not been properly commenced and I dismiss it on that basis.¹

IT THEREFORE IS ORDERED that **this action is DISMISSED** without prejudice to the petitioner's ability to file a habeas petition under 28 U.S.C. § 2254 on the form required by this court in a new action with either (1) the \$5.00 filing fee or (2) a completed application to proceed *in forma pauperis* on the proper form with both an inmate account statement for the past six months and a properly executed financial certificate.

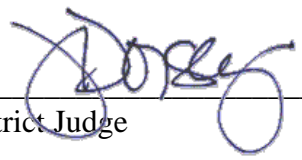
IT FURTHER IS ORDERED that a certificate of appealability is denied, as jurists of reason would not find the court's dismissal of this improperly commenced action without prejudice to be debatable or incorrect.

The Clerk of Court is directed to SEND petitioner two copies each of an application form to proceed in forma pauperis for incarcerated persons and a noncapital Section 2254 habeas

¹ 28 U.S.C. § 1915(a)(2) and Local Rules LSR 1-1, 1-2.

1 petition form, one copy of the instructions for each form, and a copy of the papers that he
2 submitted in this action; **ENTER FINAL JUDGMENT; and CLOSE THIS CASE.**

3 Dated: January 6, 2021

4 
5 U.S. District Judge